Senate Bill No. 113–Senator Steinbeck

CHAPTER.....

AN ACT relating to motor vehicles; revising provisions governing the requirements for the issuance by the Department of Motor Vehicles of a special license plate or special or temporary parking placard or parking sticker; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person from parking a vehicle in a parking space designated for persons who are handicapped unless the person is eligible to do so and the vehicle displays a special license plate or special or temporary parking placard or parking sticker inscribed with the international symbol of access. (NRS 484B.467) Existing law authorizes the Department of Motor Vehicles to issue such a special license plate or special or temporary parking placard or parking sticker to an applicant upon submission of an application that includes a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a disability. (NRS 482.384) **Sections 1-4** of this bill additionally authorize an occupational therapist or physical therapist to certify that the applicant is a person with a disability for purposes of an application for a special license plate or special or temporary parking placard or parking sticker. **Section 4** authorizes the statement or certificate certifying that an applicant is a person with a disability to be completed by an agent or employee of a licensed physician, physician assistant, advanced practice registered nurse, occupational therapist or physical therapist at the direction and under the supervision of such a medical practitioner.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 482.3833 is hereby amended to read as follows:

482.3833 "Person with a disability of moderate duration" means a person:

1. With a disability which limits or impairs the ability to walk; and

2. Whose disability has been certified by a licensed physician, physician assistant **,** [~~or~~] advanced practice registered nurse **,** ***occupational therapist or physical therapist*** as being reversible, but estimated to last longer than 6 months.

Sec. 2. NRS 482.3837 is hereby amended to read as follows:

482.3837 1. "Person with a permanent disability" means a person:

(a) With a disability which limits or impairs the ability to walk; and

(b) Whose disability has been certified by a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** as irreversible.

2. The term includes a person with a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962.

Sec. 3. NRS 482.3839 is hereby amended to read as follows:

482.3839 "Person with a temporary disability" means a person:

1. With a disability which limits or impairs the ability to walk; and

2. Whose disability has been certified by a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** as estimated to last not longer than 6 months.

Sec. 4. NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle or moped, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** certifying that the applicant is a person with a permanent disability or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or moped or a special parking sticker for a motorcycle or moped pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a statement from a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** certifying that the person is a person with a permanent disability or a certificate

from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable.

3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that:

(a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or

(b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities.

4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle.

5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate.

6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue:

(a) A special parking placard for a vehicle other than a motorcycle or moped. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section.

(b) A special parking sticker for a motorcycle or moped.

➥ The application must include a statement from a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** certifying that the applicant is a person with a permanent disability or disability of moderate duration or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable.

7. A special parking placard issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background;

(b) Have an identification number and date of expiration of:

(1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance;

(c) Have placed or inscribed on it the seal or other identification of the Department; and

(d) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

8. A special parking sticker issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background;

(b) Have an identification number and a date of expiration of:

(1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and

(c) Have placed or inscribed on it the seal or other identification of the Department.

9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew the special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with the application for renewal a statement from a licensed physician, physician assistant ***,*** ~~[or]~~ advanced practice registered nurse ***, occupational therapist or physical therapist*** certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with the application for renewal.

10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or moped or a temporary parking sticker for a motorcycle or moped upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician, physician assistant **, ~~[or]~~** advanced practice registered nurse ***, occupational therapist or physical therapist*** indicating:

(a) That the applicant has a temporary disability; and

(b) The estimated period of the disability.

11. A temporary parking placard issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background;

(b) Have an identification number and a date of expiration; and

(c) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

12. A temporary parking sticker issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background; and

(b) Have an identification number and a date of expiration.

13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician, physician assistant **, ~~[or]~~** advanced practice registered nurse ***, occupational therapist or physical therapist*** has certified the disability, but in no case longer than 6 months. If the temporary disability continues after the period for which the physician, physician assistant **, ~~[or]~~** advanced practice registered nurse ***, occupational therapist or physical therapist*** has certified the disability, the person with the temporary disability must renew the temporary parking placard or temporary parking sticker before the temporary parking placard or temporary parking sticker expires. The person with the temporary disability shall include with the application for renewal a statement from a licensed physician, physician assistant **, ~~[or]~~** advanced practice registered nurse ***, occupational therapist or physical therapist*** certifying that the applicant continues to be a person with a temporary disability and the estimated period of the disability.

14. A special or temporary parking placard must be displayed in the vehicle when the vehicle is parked by hanging or attaching the placard to the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be placed on the dashboard of the vehicle in such a manner that the placard can easily be seen from outside the vehicle when the vehicle is parked.

15. Upon issuing a special license plate pursuant to subsection 1, a special or temporary parking placard, or a special or temporary parking sticker, the Department, or the city or county, if applicable, shall issue a letter to the applicant that sets forth the name and address of the person with a permanent disability, disability of moderate duration or temporary disability to whom the special license plate, special or temporary parking placard or special or temporary parking sticker has been issued and:

(a) If the person receives special license plates, the license plate number designated for the plates; and

(b) If the person receives a special or temporary parking placard or a special or temporary parking sticker, the identification number and date of expiration indicated on the placard or sticker.

➥ The letter, or a legible copy thereof, must be kept with the vehicle for which the special license plate has been issued or in which the person to whom the special or temporary parking placard or special or temporary parking sticker has been issued is driving or is a passenger.

16. A special or temporary parking sticker must be affixed to the windscreen of the motorcycle or moped. If the motorcycle or moped has no windscreen, the sticker must be affixed to any other part of the motorcycle or moped which may be easily seen when the motorcycle or moped is parked.

17. Special or temporary parking placards, special or temporary parking stickers, or special license plates issued pursuant to this section do not authorize parking in any area on a highway where parking is prohibited by law.

18. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person, may use the special license plate or plates or a special or temporary parking placard, or a special or temporary parking sticker issued pursuant to this section to obtain any special parking privileges available pursuant to this section.

19. Any person who violates the provisions of subsection 18 is guilty of a misdemeanor.

20. The Department may review the eligibility of each holder of a special parking placard, a special parking sticker or special license plates, or any combination thereof. Upon a determination of ineligibility by the Department, the holder shall surrender the special parking placard, special parking sticker or special license plates, or any combination thereof, to the Department.

21. ***For the purposes of this section, a statement or certificate from a licensed physician, physician assistant, advanced practice registered nurse, occupational therapist or physical therapist may be a statement or certificate which is completed by an agent or employee at the direction and under the supervision of a licensed physician, physician assistant, advanced practice registered nurse, occupational therapist or physical therapist, provided that any medical determination therein has been made by the licensed physician, physician assistant, advanced practice registered nurse, occupational therapist or physical therapist.***

22. The Department may adopt such regulations as are necessary to carry out the provisions of this section.

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